

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

The the Application of:

Group Art Unit: 3764

Harold F. Carrison, et al

Confirmation No.: 3995

Serial No.: 10/674,723

Examiner: Not-Yet-Assigned

Filed: September 29, 2003

For: APPARATUS AND METHODS FOR REDUCING COMPRESSION BONE

FRACTURES USING HIGH STRENGTH

RIBBED MEMBERS

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR § 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. Copies of US Patents and US Patent Publications are not enclosed, pursuant to the US Patent & Trademark Office amendment to the 37 CFR § 1.98(a)(2)(i) that eliminates the requirement for a copy of each U.S. patent or U.S. patent application publication listed in an IDS in a patent application regardless of the filing date of the application. Copies of other cited references are enclosed.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

CERTIFICATE OF MAILING

(37 C.F.R. §1.8)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposit with the Unites States Postal Services on the date shown below with sufficient postage as "First Class Mail" to addressee in an envelope addressed to the Commissioner for Patents, Alexandria, VA 22313-1450

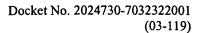
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Information Disclosure Statement Filing Provision:

filed ur 1.491;	three monder § 1. or (3) be	on the filing date of the application, which is not a continued prosecution application 53(d) or (2) within three months of entry of the national stage as set forth in 37 CFR § after the mailing of a first Office action on the merits; or (4) before the mailing of a first of the filing a request for continued examination under § 1.114. Thus, no fee is required.				
		However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR §1.17(p) to the deposit account referenced below.				
	\boxtimes	However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.				
on the 1 § 1.311	This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR 1.					
Ü		The fee due under 37 CFR § 1.17(p) is submitted herewith.				
		A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.				
This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.						
		STATEMENT UNDER 37 CFR § 1.97(e):				
\boxtimes		em contained in this IDS was first cited in any communication from a foreign patent office				
in a cou	n a counterpart foreign application not more than three months prior to the filing of this IDS.					
		n contained in this IDS was cited in a communication from a foreign patent office in a				
counterpart foreign application, and, to the knowledge of the person signing this statement after making						
reasonable inquiry, no item of information contained in this IDS was known to any individual designated						
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PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:

	A check in the amount of is enclosed for the above fee(s).								
	Please charge to Deposit Account No. 50-2518 for the above fee(s).								
	Although applicant believes no fee is required, the Commissioner is authorized to charge any fee required by the filing of these papers, and to credit any overpayment to Bingham McCutchen's Deposit Account No. 50-2518.								
			Respectfully submitted, BINGHAM McCUTCHEN LLP						
Dated:	5-16-05	Ву:	David T. Burse Reg. No. 37,104						
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Substitute for form 1449A/PTO Complete if Known MAY 1 9 2005 Application Number 10/674,723 **SUPPLEMENTAL** Filing Date September 29, 2003 INFORMATION DISCLOSU First Named Inventor Harold F. Carrison, et al STATEMENT BY APPEICANT Group Art Unit 3764 (use as many sheets as necessary) **Examiner Name** Not-yet-Assigned

Attorney Docket Number

OTHER DOCUMENTS NON PATENT LITERATURE						
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²			
	1.	PCT International Search Report for PCT/US2004/031379, Applicant: Scimed Life Systems, Inc., Forms PCT/ISA/210 and 220, dated April 29, 2005 (8 pages)				
	2.	PCT Written Opinion of the International Search Authority for PCT/US2004/031379, Applicant: Scimed Life Systems, Inc., Form PCT/ISA/237, dated April 29, 2005 (8 pages)				

Examiner Signature	Date Considered	

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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark hee if English language Translation is attached.